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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,220	02/14/2001	Hideki Akiyama	24526	9695
20529	7590	11/09/2005	EXAMINER	
NATH & ASSOCIATES 1030 15th STREET, NW 6TH FLOOR WASHINGTON, DC 20005			PHAM, THIERRY L	
		ART UNIT	PAPER NUMBER	
			2624	

DATE MAILED: 11/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/782,220	AKIYAMA, HIDEKI
	Examiner Thierry L. Pham	Art Unit 2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1)  Responsive to communication(s) filed on 16 September 2005.  
2a)  This action is FINAL.                  2b)  This action is non-final.  
3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

- 4)  Claim(s) 1 and 2 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1 and 2 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## **Application Papers**

- 9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

~~Attachment(s)~~

- 1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_.

## **DETAILED ACTION**

- This action is responsive to the following communication: RCE filed on 9/16/05.
- Amendment after Final filed on 8/5/05 has been entered.
- Claims 1-2 are pending.

### *Claim Rejections - 35 USC § 112*

Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The newly added features/limitations as cited in claim 2 is unclear. "if the printer driver determines that said secret operation item selected, the printer driver automatically selects a secret keeping operation for print data" as cited on page 3 is unclear to the examiner. "secret operation item" and "secret keeping operation" are two distinct features? Clear indication is required.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art, and in view of Kurachi (U.S. 6181436).

Regarding claims 1-2, applicant admitted the prior art teaches a printer driver (fig. 1), provided at a host computer (host computer, page 2, lines 1-20) while said host computer is connected to a stencil printer (stencil printer, page 2, lines 1-20) printing machine through communications (communication between host computer and stencil printer, page 2, lines 1-20), for setting items of various conditions for said stencil printing machine, wherein the various setting items (setting items, page 2, lines 2-5) for said printing conditions are displayed (fig. 1); a watermark (watermark settings, fig. 1) print item is selected on the setting items; and information on the items are transmitted, together with the print data (watermark settings and print data are

transmitted to stencil printer, page 2, lines 2-20), to the stencil printing machine (applicant admitted the prior art teaches a stencil printer having “secret operation settings button” as shown in fig. 1, page 2, lines 1-20).

However, applicant’s admitted prior art does not teach printer’s features such as “secret operation settings” can be incorporated into the printer driver (which allows operator to control printer’s features via from a host computer) and if the printer driver determines that a watermark print is selected on the setting items, the printer driver automatically selects secret operation item.

Kurachi, in the same field of endeavor for printer driver, teaches a printer driver (printer driver, col. 7, lines 59-60) having “secret operation settings” (secret operation settings, col. 5, lines 4-10, col. 13, lines 55-62, col. 17, lines 8-25, and col. 26, lines 35-46) can be incorporated into the printer driver and if the printer driver determines that a watermark print (watermark print is widely known and available in the art) is selected on the setting items, the printer driver automatically selects secret operation item (setting defaults for automatically selecting certain features/functions are well known and widely available in the art, for example, printer driver as taught by Kurachi can be modified to automatically set secret operation settings upon selection of watermark settings).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify applicant’s admitted prior art printer driver as per teachings of Kurachi by incorporating “secret operation features” onto printer driver because of a following reason and if the printer driver determines that a watermark print (watermark print is widely known and available in the art) is selected on the setting items, the printer driver automatically selects secret operation item: (●) to allow operators/users to control printer’s capabilities/features of the printer remotely; therefore, reduces operating costs; (●) security/confidential of print data can be secured from intruders (Kurachi, col. 6, lines 29-30); (●) automatically defaults certain features/functions of printer driver helps reduce/prevent operators/users’ errors.

Therefore, it would have been obvious to combine applicant’s admitted prior art with Kurachi to obtain the invention as specified in claims 1-2.

***Response to Arguments***

Applicant's arguments with respect to claims 1-2 have been considered but are moot in view of the new ground(s) of rejection based upon newly found prior art reference and due to newly added features/limitations as cited in claims 1-2.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

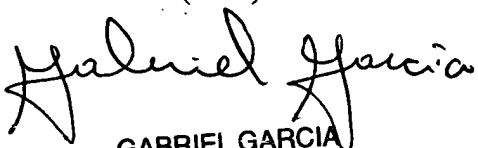
- US 6301013 to Momose et al, teaches a printer driver interface with watermark settings.
- US 6943907 to Kim, teaches a printer driver interface with confidential print settings.
- EP 943355 to Inamine, teaches a stencil printing system.
- US 6765685 to Yu, teaches a method for modifying an existing printer driver to include new settings.
- US 2005/0141008 to Billow et al, teaches a method for modifying an existing printer driver to include new/add new features.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L. Pham whose telephone number is (571) 272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham



GABRIEL GARCIA  
PRIMARY EXAMINER